

REMARKS

In the Office Action dated March 21, 2006, the Examiner rejected claims 1-3, 5-9, 11 and 13 under 35 U.S.C. § 102(b) as being anticipated by Tockweiler (United States Patent No. 6,074,388), and claims 4, 10, 12 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Tockweiler in combination with Platte (United States Patent No. 4,728,949) and Lüssi (United States Patent No. 4,872,657). The Examiner also objected to the drawings because the black boxes in Figure 3 should include descriptive legends under MPEP § 608.02. Additional references were cited on form PTO-1449 by the Applicant but not relied upon by the Examiner. In response to these rejections, Applicant has added New claims 15-30, but no new matter has been added.

35 U.S.C. § 102(b)

The rejection of claims 1-3, 5-9, 11 and 13 over Tockweiler is respectfully traversed.

Claims 1 and 7 disclose a support and contact located on a remote control that can be attached to a contact rail and support rail of a technical device. In this way, the support rail allows for the attachment of the remote control at any arbitrary position along the entire length of the support rail located on the technical device. Contrarily, Tockweiler discloses a fixed and spatially predetermined attachment via a hoop located on the transmitter and a bar-shaped support located on the receiving station.

Further, Claims 1 and 7 claim a contact rail that allows for an electrical connection to be made at any point along its length. Contrarily, Tockweiler discloses a fixed connection and spatially predetermined connection means via fixed bar-shaped counter-connections extending outward from the receiving station.

Claims 1 and 7, as described in the specification, allow for the use of the remote control while it is attached to the technical device (see page 5, lines 17-24, and page 6, lines 1-4). Tockweiler limits charging the transmitter to time periods when the transmitter is not being used.

Thus, unlike Tockweiler, the remote control in the claimed invention can be charged while in use by an operator.

Next, Tockweiler does not disclose a contact rail on an underside of the technical device where the contact is moved on the contact rail from below. The advantage of a contact rail which is on the underside of the technical device is to protect the connection from contamination and from unwanted contact. Rather, Tockweiler discloses a connection that takes place on the side of the receiving station, and the contact is not moved, but rather stationary while the transmitter hangs on the holder. New claims respectfully submitted claim a contact rail that is arranged on an underside of the technical device, and the contact is moved on the contact rail from below. Thus, the claimed invention protects the effective connection from contamination and from unwanted contact from outside sources.

Further, Tockweiler claims an electrically operated medical apparatus comprising an electrical instrument which can be handled by a person (see claim 1). As disclosed in Figure 1 of Tockweiler, such instrument is a manual tool. New claims respectfully submitted claim a patient positioning table which is not a manual tool, but rather a piece of equipment used by the patient during medical examinations and procedures.

As such, there are at least five differences between the claimed invention and the device disclosed in the Tockweiler reference. Further, various combinations of the distinguishing features are presented in the newly added claims that the Examiner is respectfully requested to consider in the next office action.

Claims 2-3, 5-6, 8-9, 11 and 13 are also believed to be allowable in view of their dependence from Claims 1 and 7.

35 U.S.C. § 103(a)

The rejection of claims 4, 10, 12 and 14 over Tockweiler in combination with Platte and Lusse is respectfully traversed.

Platte discloses a remote control that may be placed in a receptacle located at a *fixed* location of a controlled device to provide alignment for communication by optical or wired connection and the controlled device may supply power to charge the battery of the remote by conductive or inductive transfer. See col. 5 line 32- col. 6 line 9. Platte does not disclose a support rail that allows for the attachment of the remote control to the controlled device at an arbitrary position anywhere along the support rail located on the controlled device, a contact rail that allows for an electrical connection at an arbitrary point on the controlled device, nor an electrically operated medical device that might suggest a patient positioning table. As a result, it would not be obvious to one of ordinary skill in the art to derive the claimed invention from the Platte reference in combination with Tockweiler.

Lüssi discloses a remote controlled operating table. However, the Lüssi reference does not disclose a support rail that allows for the attachment of the remote control to the controlled device at an arbitrary position anywhere along the support rail located on the controlled device, a contact rail that allows for an electrical connection at an arbitrary point on the controlled device, the use of the remote control while charging, nor the placement of a contact rail on the underside of a technical device. As a result, it would not be obvious to one of ordinary skill in the art to derive the claimed invention from the Lüssi reference in combination with Tockweiler.

Claims 4, 10, 12 and 14 are also believed to be allowable in view of their dependence from Claims 1 and 7.

Further, various combinations of the distinguishing features are presented in the newly added claims that the Examiner is respectfully requested to consider in the next office action.

Submission of Formal Drawings

In the Office Action dated March 21, 2006, the Examiner objected to Figure 3 under MPEP § 608.02. The Examiner asserts that the black boxes on Figure 3 should include descriptive legends. In response, Applicant has added descriptive legends.

Therefore, Applicant respectfully submits a Replacement Sheet for Figures 1 through 3 in compliance with 37 C.F.R. § 1.21(d).

Additional Art

The additional art cited by the Examiner but not relied upon is noted by the Applicant.

Conclusion

In view of the remarks set forth below, Applicant respectfully submits that the present invention is in condition for allowance.

Respectfully submitted,



Mark Bergner (Reg. No. 45,877)
Schiff Hardin LLP
Patent Department
6600 Sears Tower
Chicago, Illinois 60606
Telephone: 312-258-5779
CUSTOMER NO. 26574
ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on July 21, 2006.

